UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,716	05/14/2001	Tim Wilson	O8-887325US1	6617

7590   11/14/2006

GOWLING LAFLEUR HENDERSON LLP
Suite 2600
160 Elgin Street
Ottawa, ON K1P 1C3
CANADA

EXAMINER
BESROUR, SAOUSSEN

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 September 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,9-11,25,28-32 and 34-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6, 9-11, 25, 28-32 and 34-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to amendment filed 9/5/2006.   Claims 1, 25 and 28,

were amended. Claims 7, 8 and 33 were cancelled. Claims 1-6, 9-11, 25, 28-32 and

34-36 are pending.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

9/5/2006 has been entered.

Response to Arguments

3.   In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., creation of VLANs of which the user is wholly cognizant) are not recited in the

rejected claim(s). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4.   In response to Applicant's argument that "there is no motivation for Yuasa to make the user to provide a group name or password for a VLAN", Examiner respectfully disagrees and would like to point out Column 25, Lines 1-7, where Yuasa states "a virtual service corresponding to the virtual group VA can be received at **only** the terminals belonging to the virtual group VA." Thus, having only certain clients to be registered and belonging to a certain virtual group. Furthermore, Examiner would like to point out Column 37, Lines 61- 67, where Yuasa states that the registration/routing table in the virtual group registration/routing section contains the client addresses of the virtual groups (VLANs)...

5.   Applicant's arguments with respect to claims 1-6, 9-11, 25, 28-32 and 34-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 1-6, 9-11 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuasa et al. (U.S. Patent No. 6,085,238) in view of Iijima et al. (U.S. patent No. 6,223,218) in further view of Kawamoto et al. (U.S. Pub. No. 2005/0198136).

As per **claim 1**, Yuasa et al. discloses: receiving a request from a non-technically
trained user to establish a group of users (Column 7, Lines 7-10, 55-65, Column 8,
Lines 4-10, Column 10, Lines 17-21 and Column 25, Lines 17-21, Fig. 63); configuring,
in response to the request, a network infrastructure to support the group without
intervention of information systems personnel (Column 7, Lines 60-65); further
configuring the network infrastructure to support the joining users without intervention of
information systems personnel (Column 11, Lines 39-44, Column 42, Lines 11-22).
Yuasa et al. does not explicitly teach dissolving the group based on predetermined
rules. However, Iijma discloses: dissolving the group based on predetermined rules
(Column 4, Lines 31-40 and Column 27, Lines 65 to Column 8, Lines 7). Therefore, it
would have been obvious to one with ordinary skill in the art at the time the invention
was made to use the teachings of Iijima et al. in conjunction with the teachings of Yuasa
et al. for the benefit of automatically setting VLAN configuration information. The
combined references Yuasa et al. and Iijma et al. do not explicitly teach the request
including a group identifier which includes a group name and password provided by the
user and identifies the group; and allowing other non technically trained users to join the
group using the group name and password. However, Kawamato discloses: the
request including a group identifier which includes a group name and password
provided by the user and identifies the group (Paragraph 102-103); and allowing other
non technically trained users to join the group using the group name and password
(Paragraph 106-107). Therefore, it would have been obvious to one with ordinary skill

in the art at the time the invention was made to use the teachings of Kawamato, in

conjunction with the combined teachings of Yuasa and Iijima for the benefit of securing

access into the group resources.

As per **claim 25**, Yuasa et al. discloses: receiving a request from a non-

technically trained user to establish a group of users (Column 7, Lines 7-10, 55-65,

Column 8, Lines 4-10, Column 10, Lines 17-21 and Column 25, Lines 17-21, Fig. 63);

configuring, in response to the request, a network infrastructure to support the group

without intervention of information systems personnel (Column 7, Lines 60-65); further

configuring the network infrastructure to support the joining users without intervention of

information systems personnel (Column 11, Lines 39-44, Column 42, Lines 11-22).

Yuasa et al. does not explicitly teach dissolving the group based on predetermined

rules. However, Iijma discloses: dissolving the group based on predetermined rules

(Column 4, Lines 31-40 and Column 27, Lines 65 to Column 8, Lines 7). Therefore, it

would have been obvious to one with ordinary skill in the art at the time the invention

was made to use the teachings of Iijima et al. in conjunction with the teachings of Yuasa

et al. for the benefit of automatically setting VLAN configuration information. The

combined references Yuasa et al. and Iijma et al. do not explicitly teach the request

including a group identifier which includes a group name and password provided by the

user and identifies the group; and allowing other non technically trained users to join the

group using the group name and password. However, Kawamato discloses: the

request including a group identifier which includes a group name and password

provided by the user and identifies the group (Paragraph 102-103); and allowing other

non technically trained users to join the group using the group name and password
(Paragraph 106-107). Therefore, it would have been obvious to one with ordinary skill
in the art at the time the invention was made to use the teachings of Kawamato, in
conjunction with the combined teachings of Yuasa and Iijima for the benefit of securing
access into the group resources.

As per **claim 2**, rejected as applied to claim 1. The combined references Yuasa
et al., Iijima et al. and Kawamato substantially teach: receiving a request from a non-
technically trained user to establish a group of users, the request including a group
identifier identifying which includes a group name and password provided by the user
and identifies the group; configuring, in response to the request, a network infrastructure
to support the group without intervention of information systems personnel; allowing
other non-technically trained users to join the group according to the group name and
password; further configuring the network infrastructure to support joining users without
intervention of information systems personnel; and dissolving the group based on
predetermined rules. Furthermore, Yuasa et al. discloses: the group of users is
composed of one or more users (Column 21, Lines 66-Column 22, Line 5, Clients
U1...).

As per **claim 3**, rejected as applied to claim 1. The combined references Yuasa
et al., Iijima et al. and Kawamato substantially teach: receiving a request from a non-
technically trained user to establish a group of users, the request including a group
identifier identifying which includes a group name and password provided by the user
and identifies the group; configuring, in response to the request, a network infrastructure

to support the group without intervention of information systems personnel; allowing

other non-technically trained users to join the group according to the group name and

password; further configuring the network infrastructure to support joining users without

intervention of information systems personnel; and dissolving the group based on

predetermined rules. Furthermore, Yuasa et al. discloses: the network infrastructure

includes a physical local area network (Column 21, Lines 51-57 LAN).

As per **claim 4**, rejected as applied to claim 1. The combined references Yuasa

et al., Iijima et al. and Kawamato substantially teach: receiving a request from a non-

technically trained user to establish a group of users, the request including a group

identifier identifying which includes a group name and password provided by the user

and identifies the group; configuring, in response to the request, a network infrastructure

to support the group without intervention of information systems personnel; allowing

other non-technically trained users to join the group according to the group name and

password; further configuring the network infrastructure to support joining users without

intervention of information systems personnel; and dissolving the group based on

predetermined rules. Furthermore, Yuasa et al. discloses: the step of establishing a

virtual local area network on a physical local area network (Column 17, Lines 58-61).

As per **claim 5**, rejected as applied to claim 1. The combined references Yuasa

et al., Iijima et al. and Kawamato substantially teach: receiving a request from a non-

technically trained user to establish a group of users, the request including a group

identifier identifying which includes a group name and password provided by the user

and identifies the group; configuring, in response to the request, a network infrastructure

to support the group without intervention of information systems personnel; allowing

other non-technically trained users to join the group according to the group name and

password; further configuring the network infrastructure to support joining users without

intervention of information systems personnel; and dissolving the group based on

predetermined rules.   Furthermore, Yuasa et al. discloses: the step of configuring

switches that are IEEE802.1Q compliant (Column 25, Line 54).

As per **claim 6**, rejected as applied to claim 5. The combined references Yuasa

et al., Iijima et al. and Kawamato substantially teach: the step of configuring switches

that are IEEE802.1Q compliant. Furthermore, Yuasa et al. discloses: a use of Q-tag

(Column 5, Lines 57-59).

As per **claim 9**, rejected as applied to claim 1. The combined references Yuasa

et al., Iijima et al. and Kawamato substantially teach: receiving a request from a non-

technically trained user to establish a group of users, the request including a group

identifier identifying which includes a group name and password provided by the user

and identifies the group; configuring, in response to the request, a network infrastructure

to support the group without intervention of information systems personnel; allowing

other non-technically trained users to join the group according to the group name and

password; further configuring the network infrastructure to support joining users without

intervention of information systems personnel; and dissolving the group based on

predetermined rules. Furthermore, Yuasa et al. discloses: the step of configuring a

switch port that a joining user is connected to with a VLAN associated with the group

(Column 37, Lines 61-67).

As per **claim 10**, rejected as applied to claim 1. The combined references Yuasa et al., Iijima et al. and Kawamato substantially teach: receiving a request from a non-technically trained user to establish a group of users, the request including a group identifier identifying which includes a group name and password provided by the user and identifies the group; configuring, in response to the request, a network infrastructure to support the group without intervention of information systems personnel; allowing other non-technically trained users to join the group according to the group name and password; further configuring the network infrastructure to support joining users without intervention of information systems personnel; and dissolving the group based on predetermined rules. Furthermore, Iijima et al. discloses: revoking the group identifier (Column 4, Lines 31-40). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Iijima et al. in conjunction with the teachings of Yuasa et al. for the benefit of automatically setting VLAN configuration information.

As per **claim 11**, rejected as applied to claim 10. The combined references Yuasa et al., Iijima et al. and Kawamato substantially teach: revoking the group identifier. Furthermore, Iijima et al. discloses: the step of returning ports switches supporting a VLAN associated with the dissolved group to a default state and removing all references to the VLAN associated with the dissolved group from the switches (Column 4, Lines 31-40). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Iijima et al. in

conjunction with the teachings of Yuasa et al. for the benefit of automatically setting

VLAN configuration information.

7.   **Claims 28-32 and 34-36** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yuasa et al. (U.S. Patent No. 6,085,238) in view of Kawamoto et al.

(U.S. Pub. No. 2005/0198136).

As per **claim 28**, Yuasa et al. discloses: a registration module to receive from a

non-technically trained user to create a group of users (Column 7, Lines 7-10, 55-65,

Column 8, Lines 4-10, Column 10, Lines 17-21 and Column 25, Lines 17-21, Fig. 63); a

registration driver to register the user and the other users to access the group of users,

assign the group pf users and maintain registration information and state information of

a network infrastructure associated with the group of users according to the group

identifier in response to the requests from the user without intervention of information

systems personnel (Column 11, Lines 1-7, Column 11, Lines 35-51 Column 10, Lines

65-67, and Column 22, Lines 34-43); a module to assign VLAN tags to the group based

on registration status (Column 25, Lines 46-57 and Column 26, Lines 12-16); a packet

driver module to insert/remove VLAN tags from packets based on registration status

(Column 25, Lines 46-57 and Column 26, Lines 12-22). Yuasa et al. does not explicitly

teach the request including a group identifier which includes a group name and

password provided by the user and identifies the group; and allowing other non

technically trained users to join the group using the group name and password.

However, Kawamato discloses: the request including a group identifier which includes a group name and password provided by the user and identifies the group (Paragraph 102-103); and allowing other non technically trained users to join the group using the group name and password (Paragraph 106-107). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Kawamato, in conjunction with the teachings of Yuasa for the benefit of secureing access into the group resources.

As per **claim 29**, rejected as applied to claim 28. The combined references Yuasa et al. and Kawamato substantially teach a registration module to receive from a non technically trained user a request to create a group of users, the request including a group identifier which includes a group name and password provided by the user and identifies the group; and allowing other non technically trained users to join the group using the group name and password; a registration driver to register the user and the other users to access the group of users, assign the group of users and maintain registration information and state information of a network infrastructure associated with the group of users according to the group identifier in response to the requests from the user without intervention of information systems personnel; a module to assign VLAN tags to the group based on registration status; a packet driver module to insert/remove VLAN tags from packets based on registration status. Furthermore, Yuasa et al. discloses: the VLAN tags are Q-tags of IEEE802.1Q (Column 25, Line 54).

As per **claim 30**, rejected as applied to claim 28 The combined references Yuasa et al. and Kawamato substantially teach a registration module to receive from a non

technically trained user a request to create a group of users, the request including a

group identifier which includes a group name and password provided by the user and

identifies the group; and allowing other non technically trained users to join the group

using the group name and password; a registration driver to register the user and the

other users to access the group of users, assign the group of users and maintain

registration information and state information of a network infrastructure associated with

the group of users according to the group identifier in response to the requests from the

user without intervention of information systems personnel; a module to assign VLAN

tags to the group based on registration status; a packet driver module to insert/remove

VLAN tags from packets based on registration status. Furthermore, Yuasa et al.

discloses: the state information of a network infrastructure is information on the switches

that are IEEE803.1Q compliant (Column 25, Lines 53-59, Column 26, Lines 12-34).

As per **claim 31**, rejected as applied to claim 28. The combined references

Yuasa et al. and Kawamato substantially teach a registration module to receive from a

non technically trained user a request to create a group of users, the request including a

group identifier which includes a group name and password provided by the user and

identifies the group; and allowing other non technically trained users to join the group

using the group name and password; a registration driver to register the user and the

other users to access the group of users, assign the group of users and maintain

registration information and state information of a network infrastructure associated with

the group of users according to the group identifier in response to the requests from the

user without intervention of information systems personnel; a module to assign VLAN

tags to the group based on registration status; a packet driver module to insert/remove

VLAN tags from packets based on registration status. Furthermore, Yuasa et al.

discloses: the module to construct VLAN tags comprises the SNMP module (Column

55, Lines 10-40).

As per **claim 32**, rejected as applied to claim 28 The combined references Yuasa

et al. and Kawamato substantially teach a registration module to receive from a non

technically trained user a request to create a group of users, the request including a

group identifier which includes a group name and password provided by the user and

identifies the group; and allowing other non technically trained users to join the group

using the group name and password; a registration driver to register the user and the

other users to access the group of users, assign the group of users and maintain

registration information and state information of a network infrastructure associated with

the group of users according to the group identifier in response to the requests from the

user without intervention of information systems personnel; a module to assign VLAN

tags to the group based on registration status; a packet driver module to insert/remove

VLAN tags from packets based on registration status. Furthermore, Yuasa et al.

discloses: a web based user interface (Column 2, Lines 14 GUI).

As per **claim 34**, rejected as applied to claim 28. The combined references

Yuasa et al. and Kawamato substantially teach a registration module to receive from a

non technically trained user a request to create a group of users, the request including a

group identifier which includes a group name and password provided by the user and

identifies the group; and allowing other non technically trained users to join the group

using the group name and password; a registration driver to register the user and the

other users to access the group of users, assign the group of users and maintain

registration information and state information of a network infrastructure associated with

the group of users according to the group identifier in response to the requests from the

user without intervention of information systems personnel; a module to assign VLAN

tags to the group based on registration status; a packet driver module to insert/remove

VLAN tags from packets based on registration status. Furthermore, Yuasa et al.

discloses: a switch commander for configuring a network infrastructure to support the

group without intervention of information systems personnel in response to the request

for creating the group of users (Column 7, Lines 60-65, and Column 9, Lines 40-53).

As per **claim 35**, rejected as applied to claim 28 The combined references Yuasa

et al. and Kawamato substantially teach a registration module to receive from a non

technically trained user a request to create a group of users, the request including a

group identifier which includes a group name and password provided by the user and

identifies the group; and allowing other non technically trained users to join the group

using the group name and password; a registration driver to register the user and the

other users to access the group of users, assign the group of users and maintain

registration information and state information of a network infrastructure associated with

the group of users according to the group identifier in response to the requests from the

user without intervention of information systems personnel; a module to assign VLAN

tags to the group based on registration status; a packet driver module to insert/remove

VLAN tags from packets based on registration status. Furthermore, Yuasa et al.

discloses: the registration module further receives from the user a request for showing

information associated with the group of users (Column 50, Lines 49-59).

As per **claim 36**, rejected as applied to claim 28 The combined references Yuasa

et al. and Kawamato substantially teach a registration module to receive from a non

technically trained user a request to create a group of users, the request including a

group identifier which includes a group name and password provided by the user and

identifies the group; and allowing other non technically trained users to join the group

using the group name and password; a registration driver to register the user and the

other users to access the group of users, assign the group of users and maintain

registration information and state information of a network infrastructure associated with

the group of users according to the group identifier in response to the requests from the

user without intervention of information systems personnel; a module to assign VLAN

tags to the group based on registration status; a packet driver module to insert/remove

VLAN tags from packets based on registration status. Furthermore, Iijima et al.

discloses: the registration module further receives from the user a request for deleting

the group of users (Column 4, Lines 31-40). Therefore, it would have been obvious to

one with ordinary skill in the art at the time the invention was made to use the teachings

of Kawamato in conjunction with the teachings of Yuasa et al. for the benefit of securing
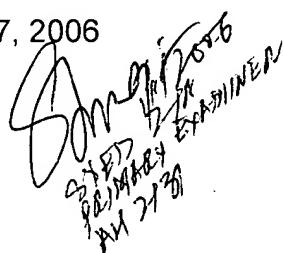
access into the group resources.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Saoussen Besrour whose telephone number is 571-272-

6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB
November 7, 2006